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	PAGES (INCLUDING THIS COVER PAGE):7 Application Serial No.09/715,764		

RE

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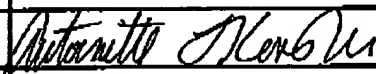
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/715,764	
	Filing Date	11/15/2000	
	First Named Inventor	Heinz-Josef Lenz	
	Art Unit	1634	
	Examiner Name	Sitton, Jehanne	
Total Number of Pages in This Submission	6	Attorney Docket Number	13761-7039

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Bingham McCutchen LLP Antoinette F. Konski
Signature	
Date	March 14, 2005

CERTIFICATE OF TRANSMISSION			
I hereby certify that this correspondence is being sent via facsimile on the date shown below to the attention of Examiner Jehanne Sitton at Facsimile number (571) 272-0745.			
Typed or printed name	Peggy Nichols		
Signature		Date	March 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. USC 0739

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Dated: March 14, 2005

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lenz et al.

Confirmation No.: 7045

Filing Date: November 15, 2000

Examiner: Sitton, J.S.

Serial No.: 09/715,764

Group Art Unit: 1634

Title: **GENOMIC POLYMORPHISM FOR PREDICTING THERAPEUTIC RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

This paper is submitted in reply to the Notice of Non-Compliant Amendment issued March 4, 2005, by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to this Action is due April 4, 2005. Accordingly, this reply is timely filed.

The Amendments begin on page 2 of this Reply.

The Remarks begin on page 5 of this Reply.

PA/52153781.1